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Attorneys for Defendant Apple Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

CASE NO. 3:13-CV-02920 (SC)

SCOTT J. WEISELBERG, individually, and
on behalf of all others similarly situated,

Plaintiff,

v.

APPLE, INC., a California company,

Defendant.

**STIPULATION FOR DISMISSAL WITH
PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Scott J. Weiselberg, by and through his counsel of record, hereby requests that this action and all claims asserted against Defendant in this action, including all claims and counterclaims, compulsory and/or permissive, known and unknown, that were brought or could have been brought by either party, be dismissed WITH PREJUDICE. Apple Inc., by and through its counsel of record, hereby stipulates to Plaintiff's request. Each of the undersigned parties agrees that it shall bear its own costs and attorneys' fees associated with this matter.

Pursuant to Federal Rule of Civil Procedure 41(a)(1) and Civil L.R. 77-2(c), this order may be granted by the Clerk of this Court without further direction of a Judge. The parties respectfully request that the Clerk close this file.

IT IS SO STIPULATED.

Dated: October 28, 2013

By: /s/ William A. Isaacson
William A. Isaacson
BOIES, SCHILLER & FLEXNER LLP

Attorneys for Defendant Apple Inc.

Dated: October 28, 2013

By: /s/ Richard L. Kellner
Richard L. Kellner
KABATECK BROWN KELLNER LLP

Attorneys for Plaintiff Scott J. Weiselberg

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 10/29, 2013

THE HONORABLE
UNITED STATES

